THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10229 OF 2007

ORAL ORDER:

This writ petition is filed seeking a declaration that the order passed by the 1st respondent dated 28.12.2006 in A.S.No.149 of 2006, thereby confirming the determination made by the 2nd respondent that the petitioner was not a landless poor as defined under Section 82(2) of Act 30 of 1987 as arbitrary and illegal.

Having heard the learned counsel for the petitioner and the learned counsel appearing for the 1st respondent, I do not find any justifiable reason to interfere with the concurrent finding of fact recorded by the respondents 1 and 2 that the petitioner, apart from Ac.5.20 cents of dry land belonging to the 3rd respondent-temple, is also having his own land to an extent of Ac.3.90 cents and, therefore, does not fall within the definition of "landless poor person" as defined under the Explanation to Section 82(2) of Act 30 of 1987. At any rate, since possession was already taken from the petitioner and leasehold rights were granted to a third party in the public auction held on 11.12.2006, the interference by this Court, at this stage, is not warranted.

Accordingly, the writ petition is dismissed. No costs.

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(G. ROHINI, J.)

21st June, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10229 OF 2007

21st June, 2007.

Between:

Kurukuri Rama Rao. ..Petitioner.

And

The Regional Joint Commissioner,
Multi Zone-I, Endowments Department,
Kakinada, East Godavari District and others. .. Respondents.